

**In the United States District Court
For the Southern District of Texas
Houston Division**

United States of America

versus

Chad Harper

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Cause No. 4:25-CR-337

Chad Harper's Affidavit in Support of Motion to Modify Conditions of Release (Dkt. 28)

1. I, Chad Harper, am over the age of twenty-one (21), am fully competent to make this affidavit, have personal knowledge of the facts and statements in this affidavit, and each of the facts and statements is true and correct to the best of my knowledge.
2. I am the owner of three separate labs, Ohio River, Elite Bio, and Elite Clinical. These labs process samples for providers across the country. Most of our tests involve genetics, toxicology, or infectious disease. Our labs employ over one hundred people, including lab directors, PHDs, salespersons, operations, and billing personnel.
3. Over the last few years, I have made various changes to lab procedures. Importantly, we have disengaged with every marketer the government viewed as a potential issue. We removed all commission-based payments to sales personnel. Today, all sales personnel are paid under contracts with a set fee for their services. Marketer payments vary based on the size of the sales team and the services being provided. No salesperson payments are based on the specific volume or value of referrals provided by the contractor.
4. In addition to changes in the payment structure for sales personnel, we made changes to the billing department. We outsource our billing to a third-party billing company, Health Quest. Genetic testing is an evolving area of science with new testing capabilities arriving every

year. The billing standards have evolved with the tests. We made the decision to outsource our billing procedures to ensure compliance with current federal and private guidelines.

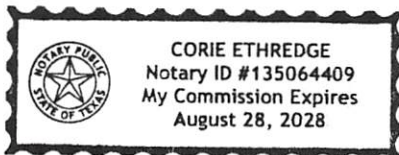
5. Like most labs and other providers, a significant portion of my company's revenue derives from claims for Medicare beneficiaries. The elderly population is the most likely to see providers and/or suffer from symptomatic disease requiring testing for diagnosis and treatment options. If the Medicare exclusion continues to exist, I will be forced to lay off my employees, shut down the labs, and discontinue patient care.

I declare under penalty of perjury that the foregoing is true and correct.



Chad Harper

SWORN TO AND SUBSCRIBED before me by **Chad Harper** on the 25 day of July, 2025, to which witness my hand and seal of office.





Notary Public, State of Texas

Certificate of Service

I hereby certify that a true and correct copy of the foregoing **Affidavit in Support of Defendant's Motion to Modify Conditions of Release** was delivered via electronic filing to the DOJ Trial Attorney, Devon Helfmeyer, in this cause on July 25, 2025.

/s/ Wendell Odom
WENDELL A. ODOM, JR.